

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, January 22, 1974

Present: Commissioner J. Wilmer Bowles, President
 Commissioner George R. Aud
 Commissioner J. S. Guy, Jr.
 Edward V. Cox, Chief Clerk
 Judith A. Mullins, Recording Secretary

Also present were Dave Fox, Guardian Review; Dick Myers, WKIK.

The meeting came to order at 9:30 a.m.

POWER SAW FOR STATE HIGHWAY ADMINISTRATION

The Commissioners unanimously approved the purchase of a power saw - XL 925 in the amount of \$335.85, less trade-in allowance on old saw in the amount of \$35.85, thus approving an expenditure of \$300 for the saw.

(Commissioner Aud left the meeting due to illness.)

READING OF MINUTES

The minutes of January 15, 1974 were read and corrected.

REZONING FILE No. 0005 - JAY LAURENCE MILLISON

Commissioner Guy stated that he visited the property in question Wednesday, January 16 and found that the cemetery was exactly as it was laid out on the plat prepared by J. R. McCrone, Jr., Inc. dated January 4, 1973 and known as Petitioner's Exhibit B. The plat identified the cemetery as 22.3 feet by 29.2 feet; therefore, the Commissioners' zoning decision to exempt 2.61 acres of land for the cemetery as set forth in the Commissioners' letter to Mr. Millison dated July 30, 1973 is in error.

Commissioner Guy stated that he informed Mr. Weiner, County Attorney, of his visit to the cemetery, and Mr. Weiner should inform the Commissioners what action should now be taken.

COUNTY GOVERNMENT'S COMPREHENSIVE PERSONNEL MANAGEMENT SYSTEM

Mr. Cox presented the forms, County Government Comprehensive Personnel Management System - Phase II, Federal Catalogue No. 27.012, for a federal grant in the amount of \$7,000 to be submitted to the State Department of Economic Community Development. Mr. Cox stated that a grant had previously been applied for Phase I, Job Classification System and should be complete within the next 30 to 60 days. Commissioner Guy made a motion to approve the above form, seconded by Commissioner Bowles who signed same.

RESOURCE CONSERVATION AND DEVELOPMENT BOARD

The Commissioners agreed to select Joseph E. Comer, Society of Engineers and Scientists, as member at large from St. Mary's County to the R C & D Board, subject to a research of his background and his availability to serve on said Board.

ADMINISTRATIVE LEAVE - DEPUTY DAVID LANG

Sheriff Larry Williams submitted a letter recommending that Deputy Lang be paid while he was on administrative leave from December 29, 1973 through January 17, 1974. Commissioners Guy and Bowles agreed to accept Sheriff Williams recommendation.

ACADEMY OF SCIENCES

A letter was received from Mr. Bates, from the Academy of Sciences in reference to his visit with the County Commissioners on October 16 at which time he requested a pledge in the amount of \$1,000 to \$2,000 from St. Mary's County to support the new science building in the Baltimore Interharbor project. The Commissioners requested Mr. Cox to forward a letter to Mr. Bates that funds are not available for this.

BILLS APPROVED

The Commissioners approved the following bills:

Bob's Mobile Homes, dated January 14, 1974, for the relocation of Agnes Abell's trailer on St. Andrews Church Road - \$1,800 (price in conformance with the bid);

H. D. McGlade, Comptroller, mileage expenses for November-December 1973 and January 1974 - \$99.54.

ST. ANDREWS CHURCH ROAD - ESTIMATE NO. 3

Commissioner Guy made a motion to approve Estimate No. 3 from Regal Construction for reconstruction of St. Andrews Church Road in the amount of \$12,668.72 - Contract No. SM 599-1-518. Commissioner Bowles seconded the motion and signed same.

INCREASE IN MILEAGE COSTS

Mr. Cox stated that several employees have requested an increase cost per mile rate which is presently .10¢ per mile, due to the increase in the cost of gasoline. Mr. Cox said he would make a recommendation to the Commissioners by February 1.

WALKING CONDITIONS - TOWN CREEK

A letter was received from Dr. King, Superintendent of Schools, listing improvements and recommendations from Mr. Hugh Downs, Chief Engineer for the Maryland State Department of Transportation, to improve the walking conditions for elementary school children in Town Creek. Mr. Downs estimated the work could be performed for approximately \$2500. John Norris, County Engineer, will be requested to make recommendations to the County Commissioners.

PROCLAMATION NO. 74-1 - NATIONAL CHILDRENS DENTAL HEALTH WEEK

Present: Dr. Lee George

The Commissioners presented the above Proclamation to Dr. George proclaiming the week of February 3 through February 9, 1974 as National Childrens Dental Health Week.

FINANCIAL DISCLOSURE BILL

Present: Joseph Weiner, County Attorney

Mr. Weiner stated that he read an article in the Baltimore Sun that the Financial Disclosure Bill is optional for counties whether to file or not to file. It is mandatory for State Officials.

REZONING FILE No. 0014 - COMMERCIAL DEVELOPERS, INC.

Present: John Bailey, Attorney, representing Commercial Developers
Robert Willard, Planning Director

John Bailey presented a letter from Commercial Developers, Inc. setting forth the conditions the developer has agreed to comply with in accordance with the stipulations set forth by the Planning Commission and clarified in the hearing with the County Commissioners on January 8, 1974.

Mr. Willard stated that Commissioner Guy had expressed concern with the nearness of the amphitheater to the project and the impact it would have on the project. Mr. Willard stated that the Agreement stipulates a 100 foot setback in relation to the property line adjacent to the park property and any acoustical screening would be at the developer's expense. Mr. Willard said he had discussed the impact with John Baggett, Director, Recreation and Parks, and Mr. Baggett was of the opinion that a 300 foot setback would be adviseable. Mr. Willard said the amphitheater is 200 feet from the property line, making a total of 300 feet.

Commissioner Aud was not present at this meeting and, therefore, a decision will be deferred until Commissioners Aud and Guy review the letter of Agreement. (Commissioner Bowles was not present at the January 8 hearing and therefore would not vote on the decision.)

HOUSING COORDINATOR - JOB DESCRIPTION

Dr. Patrick Jarboe forwarded a job description for a Housing Coordinator with a salary of \$6600 for six months and recommended Donald B. Curtis for this position. The Commissioners gave their approval for this position contingent upon receiving state funding from the Department of Economic Community Development for this position.

REQUEST FOR HEARING

CHANGE IN COMPREHENSIVE WATER AND SEWAGE PLAN

Present: Tommy Waring
 Jack Sullivan
 Hugh Allston
 John Norris, County Engineer

Mr. Waring stated that they would like a change in classification in the Comprehensive Water and Sewage Plan on the following two projects to enable him to put in a central water system:

Burch Manor, Fifth Election District - W-5 to W-3
 Fenwick Manor, Sixth Election District - W-4 to W-3

Mr. Sullivan stated the Department of Water Resources gave their approval to their water system for Fenwick Manor pending approval from the County Commissioners and will do the same with Burch Manor.

Commissioner Bowles inquired if they would be willing to wait until the Commissioners have a public hearing on the annual update of the Plan which would be sometime in June to which Mr. Waring said he would rather not because they would like to start construction in March.

The Commissioners will advise Mr. Waring of the date scheduled for a public hearing.

BICENTENNIAL COMMITTEE

Present: Henry Fowler

Mr. Fowler stated he is the Chairman for Charlotte Hall Military Academy's Bicentennial Committee and is also working with the Tri-County Council and General Hogaboom of St. Mary's

City.

Mr. Fowler discussed the list of names from St. Mary's County that are in the Bicentennial booklet and stated some of the names on the list are unable to serve and perhaps the Commissioners could suggest some additional names. He said he would be willing to serve as temporary Chairman of the St. Mary's County Bicentennial Committee, but for no longer than a month. The Commissioner's Office will forward letters to those on the list and Mr. Fowler will set up a meeting sometime next week in the evening. Commissioner Guy expressed an interest in serving on the committee and also recommended that a member from Recreation and Parks Board serve on the Committee.

Mr. Fowler mentioned that \$500 from the State will be available to each County for the Bicentennial.

Commissioner Guy suggested that the Commissioners draw up a Proclamation recognizing the Bicentennial Committee for St. Mary's County and encourage support of the activities and programs of the Bicentennial.

Mr. Fowler will contact Mr. Cox concerning members and date and time of the meeting.

TRI-COUNTY YOUTH SERVICES BUREAU BOARD

Present: Robin Guyther
Stu Hobbs
Dr. William Marek

Robin Guyther explained to the Commissioners that the LEAA Grant through the Governor's Commission on Law Enforcement for the funding of the Tri-County Youth Services Bureau will run out March 31, 1974 and the Board is requesting support from the three counties to operate the Bureau until the end of the fiscal year.

Mr. Guyther went on to explain the programs and services of the Bureau, which are described in their letter dated January 18, 1974, copy of which is on file in the Commissioners' Office.

Mr. Hobbs stated the Bureau's counseling services is a preventative measure and the success rate is very high due to the fact that counseling is entirely on a voluntary basis.

Mr. Guyther discussed the Bureau's proposed budget for 1974-75 and stated that the figures are the same as last year's except for a 5.32 percent increase in staff salaries and increasing from part time to full time social worker position and \$3,000 for a part-time clerk-typist. St. Mary's County's portion would be \$51,750, representing 37 1/2 percent. Dr. Marek explained that the Department of Mental Health's current

funding is allocating a certain portion to be utilized by the Youth Services Bureau to help reduce the amount that would be requested from the County Commissioners. Dr. Marek said he would be working with the State Department of Health sometime in February on this funding.

Robin Guyther said the Bureau is applying for two grants, one from Institute of Human Resources and the Department of Preventative Medicine.

The Commissioners requested the Board to inform the Commissioners as soon as they receive word on these grants.

REZONING HEARING - GEORGE T. DAUGHERTY - File No. 0018

Present: Robert Willard, Planning Director

Application was made by George T. Daugherty to have property located in the Eighth Election District, on Willows Road, adjacent to Center Gardens, containing 95 acres rezoned from "Agricultural" to "Industrial."

The secretary read the Notice of Public Hearing and the letter of petition for rezoning dated November 2, 1973 from George and Katherine Daugherty.

The file also contains the Zoning Plan; however it does not contain the red delineation lines as indicated in the applicant's letter of November 2.

Robert Willard read the Planning Commission's letter of January 21, 1974 setting forth their stipulations. Mr. Willard also commented that the property lies within the AICUZ Zone.

There were neither opponents or proponents present.

Mr. and Mrs. Daugherty nor their agents were present at this hearing; therefore, Commissioner Guy made a motion that this hearing be recessed and that File No. 0018 remain open for review and comment pending a decision by the County Commissioners. At the point in time when the file is reopened, the question should be raised as to the plan not having the red line delineation; however, it does appear that there is an area of land that is the area in question on the plan. Commissioner Bowles seconded the motion.

A tape of the hearing is on file in the Commissioners' Office.

AIRPORT COMMISSION

Present: Robert Gabrelcik, Chairman
 F. Elliot Burch
 John Norris, County Engineer

Mr. Gabrelcik stated he had contacted John Norris for assistance in preparing plans and specifications for the hangar at the Airport; however, Mr. Norris informed him that his office was unable to handle it at this time. Mr. Gabrelcik said they would like to be able to open bids in two months and award the contract before July. Mr. Norris suggested that perhaps Barton-Aschman could do this work under the General Agreement. Mr. McGlade is to contact Barton-Aschman and establish a time and place that the Airport Commission could meet with the appropriate person from Barton-Aschman and also determine the cost of this project.

Mr. Gabrelcik presented a memorandum, dated January 21, 1974 to the Commissioners stating that all available tie-down spaces at the Airport are being utilized and since the automobile parking lot is seldom used, the Airport Commission requested converting the parking lot area into a tie-down area for airplanes.

Mr. Gabrelcik stated the Airport Commission received a price in the amount of \$350 from B & J Nursery to remove a small portion of the fence between the aircraft parking ramp and the automobile parking area and to provide tie-down facilities for eight additional aircraft. Mr. Gabrelcik stated that the additional tie-down spaces would bring in revenues of approximately \$700 between now and July. He said that at a later date, the fences could be put back again at a nominal cost.

Mr. Gabrelcik said he would talk to the people at the Airport to see if they would remove the fences themselves at no cost and if they would he would advise them to proceed; however, if they will not, he said he would advise the Commissioners.

EXTENSION OF DALE CROPPER'S CONTRACT

Present: John Norris, County Engineer

Mr. Norris submitted a request to extend Dale Cropper's (Engineering Inspector) Employment Contract, dated October 2, 1973, under the same terms and conditions set forth therein until April 30, 1974.

Commissioner Guy made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Bowles.

MILEAGE EXPENSES

Present: John Norris, County Engineer

John Norris submitted cost comparisons for mileage at .10¢, .12¢ and .14¢ per mile and suggested that the County reimburse mileage at the rate of .14¢ per mile up to 1,000 miles and any mileage over 1,000, .12¢ per mile. He cited Dale Cropper as an example because he travels approximately 1,500 miles a month.

Commissioner Bowles informed Mr. Norris that Mr. Cox is working on a study of transportation costs and will return with this information by February 1, 1974.

EUGENE KOPP SUBDIVISION - FLAT IRON ROAD

Present: John Norris, County Engineer

Mr. Norris explained that Mr. Kopp's subdivision plat (consisting of 18 lots) was filed between the December 26, 1972 Road Directive and the December 11, 1973 Road Policy. The December 26, 1972 Directive kept Mr. Kopp from proceeding with his subdivision because there are more than 20 lots on Flat Iron Road. Mr. Norris stated that under the December 11, 1973 policy, Mr. Kopp could proceed with ten lots but the remainder of lots would have to be in accordance with that policy and the attached standards. Commissioner Guy stated that according to Mr. Andrew Bailey's (attorney representing Mr. Kopp) letter of January 14, 1974, Mr. Kopp is willing to make some concessions as a small developer.

Commissioner Bowles suggested that Mr. Norris inform Mr. Kopp that the Commissioners have asked for legislative authority to assess on a per lot or per dwelling unit basis so that we can have a fair and equitable system that would serve all people. Assuming that we will get this authority, it would be effective June or July 1. In the meantime, he could move forward to generate income by proceeding with ten lots. Mr. Norris said he had explained this to Mr. Kopp previously; however, he will discuss it with him again.

AGNES ABELL'S TRAILER - ST. ANDREWS CHURCH ROAD

Present: John Norris, County Engineer

Payment in the amount of \$150 was given to Mrs. Agnes Abell December 28, 1973 for reimbursement of damages to her trailer caused by an electrical fault. Mr. Norris stated he had verified these damages with Commissioner Aud prior to the check being delivered.

HERMANVILLE ROAD

Present: John Norris, County Engineer

Mr. Norris presented the Agreement for Construction Engineering and Inspection for work on Hermanville Road. This Agreement is to be reviewed by the County Attorney for his approval.

TAKING OF LAND - ST. MARY'S CITY

Present: Mr. and Mrs. Llyod Scheible

Mr. Scheible stated that they had purchased property at St. Mary's City and a month thereafter he learned of the State's interest in the property in that area. He stated that when the land acquisition people from the State General Services Administration offered him a price, he would accept on three conditions:

1. That the State not deduct anything because he continued to live there;
2. That the State pay for the porch under construction;
3. That they be given life estate and not pay real estate taxes for living on the property; however, Mr. Scheible did state he would not mind paying some real estates taxes but they should be frozen.

Mr. Scheible stated he had spoken to Senator Paul Bailey and Senator Bailey said he should talk to the County Commissioners.

Commissioner Guy stated that the laws for the collection of taxes are not County laws, they are state laws. The County Commissioners just set the tax rate.

Mr. Scheible explained that a neighbor had signed an option where he does not have to pay real estate taxes. Commissioner Guy stated that perhaps in lieu of paying taxes, they accepted a lesser value of their property.

The Commissioners agreed that Senator Bailey is the person that he should be talking to; that he should be able to answer his questions.

ALEX SCHUST BUILDING PERMIT

Present: John Norris, County Engineer

Mr. Norris stated that Mr. Schust's house is about 78% complete and that he has not obtained a building permit. He

said the Commissioners can seek an injunction or he could be fined \$100 for building without a permit.

Commissioner Bowles requested Mr. Norris to have the County Inspector make a report to the County Attorney and seek the Attorney's advice as to the appropriate action.

WILLOW BROOK ESTATES - FLAT IRON ROAD

Present: John Norris, County Engineer

Mr. Norris stated that Guenther Construction Company has submitted a Personal Road Bond in the amount of \$25,000 for Willow Brooks Estates, naming Walter Wise as Surety. The Commissioners requested John Norris to obtain a Surety Bond in place of the Personal Bond.

AERIAL PHOTOGRAPHS OF ST. MARY'S COUNTY

Mr. Cox stated that Bob Willard, Planning Director, has requested aerial photographs of the County and Barton-Aschman, Consultants, have made the same request. Commissioner Guy made a motion to approve the purchase of the photographs from the Department of Agriculture at a cost of no more than \$54. Commissioner Bowles seconded the motion.

XEROX MACHINE FOR COMMISSIONERS' OFFICE

Present: Paul Raley
H. D. McGlade

Mr. Raley stated the Commissioners' Office presently has a Xerox 720 copy machine and it no longer serves our needs. He said he has checked with Xerox and IBM and felt that the Xerox 4000 would serve our purpose. It would be an additional \$50 per month rental. Some of the features are: copies both sides of paper, two paper trays for each size paper, duplicates NCR paper and it would not be necessary to clean the drum. It takes seven seconds for the first copy and three seconds for each copy thereafter.

Mr. McGlade suggested that Mr. Raley look into a machine with a collator. Mr. Raley said that would be the Xerox 2400 and he would look into the extra cost for this machine.

The meeting adjourned at 5:45 p.m.

J. Wilmer Bowles 2/26/74
J. Wilmer Bowles
President